

NON-APPLICANT

Date 6-20-12

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT
NO./CUP NO.: R 2010-01629-(2)

APPLICANT: A community of friends

LOCATION: 13218 + 13224 AVALON BLVD.

West Rancho Dominguez - Victoria.

Zoned
District

Related zoning matters:

CUP(s) or VARIANCE No. _____

Change of Zone Case No. _____

Other _____

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented with a check or money order, payable to the Board of Supervisors, with personal identification prior to the appeal deadline at 5:00 p.m. at the above address. (Appeal fees subject to change) Contact the Zoning section of the Board of Supervisors for more information: (213) 974-1426.

This is to appeal: (Check one)

~~_____~~ The Denial of this request 817.00*

X The Approval of this request 817.00*

*For Subdivisions \$130.00 of this amount is to cover the cost of the hearing of the Board of Supervisors

OK
MOC

Briefly, explain the reason for the appeal (attach additional information if necessary):

Do not want the Project in our
Community

Party is Representing
the Friends + Neighbor Community Club

x Randy A. Hughes Marcia Jones
(Signed) Appellant

Randy A. Hughes Marcia Jones
Print Name

Behalf of: The Friends + Neighbors Community Club,
13323 McKinley Ave.
Address

Los Angeles 90059
City/Zip

310-532-2761

Day Time Telephone Number

RandyAH@SBCGlobal.net
E-mail Address

Marciaswld@yahoo.com



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

June 6, 2012

Tim Riley
8537 Wakefield Ave.
Panorama City, CA 91402

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

**REGARDING: PROJECT NO. R2010-01629-(2)
CONDITIONAL USE PERMIT NO. 201000150
HOUSING PROJECT NO. 201000003
55-unit affordable housing complex at 13218 & 13224 Avalon Blvd.,
West Rancho Dominguez-Victoria**

Dear Applicant:

The Regional Planning Commission, by its action of June 6, 2012, **APPROVED** the above described project and entitlements. The attached documents contain the Regional Planning Commission's findings and conditions relating to the approval. Please carefully review each condition. Condition No. 2 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective.

The applicant and/or other interested persons may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on June 20, 2012.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, **hand deliver** a notarized affidavit of acceptance form, a certified copy of the recorded findings and conditions of approval, and any other required fees or materials to the planner assigned to your case (see attached instructions for more information). Please **make an appointment** with the case planner to ensure that processing will be completed expeditiously. If the required documents and fees are not received within 60 days of this final letter's date, this permit will be transferred to Zoning Enforcement for further action.

For additional information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery of the Zoning Permits West Section at (213) 974-6462 or e-mail at TMontgomery@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director


Mi Kim, Supervising Regional Planner
Zoning Permits West Section

Enclosures: Findings and Conditions, Affidavits (Permittee's Completion)
c: BOS; DPW (Building and Safety); Zoning Enforcement
MK:TM

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2010-01629-(2)
CONDITIONAL USE PERMIT NUMBER 201000150
HOUSING PERMIT NUMBER 201000003
ENVIRONMENTAL ASSESSMENT NUMBER 201000113**

**REGIONAL PLANNING COMMISSION HEARING DATE:
JUNE 6, 2012**

SYNOPSIS:

Pursuant to Part 1 of Chapter 22.56 of the Los Angeles County Code ("Code"), the applicant has requested a conditional use permit ("CUP") to authorize the construction of a 55-unit apartment complex in the C-2 zone. Pursuant to Section 22.28.160 of the Code, an apartment house within the C-2 zone requires a CUP.

Pursuant to Part 18 of Chapter 22.56 of the Code, the applicant has also requested a discretionary housing permit to allow for a density bonus of 550 percent, to increase density from 10 to 55 units, and a reduction in the number of required parking spaces from 103 to 62 for a 100 percent affordable housing development. A density bonus of more than 50 percent has been requested through a discretionary housing permit per County Code Section 22.52.1880, and the Commission has also considered the requested parking reduction concurrently with the discretionary housing permit.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

June 6, 2012 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on June 6, 2012. Regional Planning staff gave a presentation recommending approval of the project. The applicant's representatives, Mr. Tim Riley, Ms. Tara Barauskas, Mr. Ronald Cannan, and Mr. Dean Hawkins, were sworn in and testified in favor of the project. They stated that the facility would provide a critically needed affordable housing and supportive services to an underserved population, that the applicant has a long track record of building and operating similar quality housing facilities for the homeless all over the county, that the facility would be secure and attractive, and that the requested density bonus and parking deviation were necessary in order for the project to be financially feasible. They also stated that the parking ratio was similar to other facilities operated by the applicant, in which much of the provided parking is not utilized. Four other speakers also testified in favor of the project, stating that the applicant would provide a needed service for the homeless and mentally ill, would provide jobs and investment in the community, and would be operated in a compassionate and responsible manner.

Seven area residents were also sworn in and testified in opposition to the proposed project. They presented a petition in opposition to the project, which they stated was signed by over 800 area residents. They also stated that the neighborhood already suffers from a severe lack of street parking, high crime, and an overabundance of group homes and rehabilitation facilities. They were concerned that the construction of the proposed facility would exacerbate these problems and bring down property values. They also were concerned that the facility would serve as a "dumping ground" for homeless and mentally ill persons from around the county. In rebuttal, the applicant's representatives stated that the facility would have controlled, gated access, 24-hour video surveillance, and trained on-site management. They also stated that residents and employees would mainly be recruited from the immediate vicinity, as the contacted service provider is based in the area and serves mostly locals. During discussion, the Commissioners expressed some concerns regarding the bulk and design of the project's northern and southern elevations, as they seemed rather long and monotonous. They directed the applicant to work with Regional Planning staff in improving the project's aesthetics prior to final approval of the site plans. The Commission subsequently closed the public hearing, adopted the Negative Declaration, and approved the project.

Findings

1. The applicant, A Community of Friends, seeks a conditional use permit ("CUP") to authorize the construction, operation, and maintenance of a 55-unit apartment complex in the C-2 (Neighborhood Business) zone. The applicant also seeks a discretionary housing permit to allow for a density bonus and a reduction in the required number of parking spaces.
2. The applicant requests an increase in the number of residential units that would be allowed pursuant to the Countywide General Plan ("General Plan") land use designation and the C-2 zone, from 10 units to 55 units, and a reduction in the number of required parking spaces from 103 spaces to 62 spaces.
3. The project would be 100 percent affordable, and would contain 13 one-bedroom units, 22 two-bedroom units, and 20 three-bedroom units. One unit would be occupied by an on-site manager, and 37 units would be reserved for very-low-income residents, consisting of homeless families and families living with a head of household with a mental illness. The remaining 17 units would be reserved for low-income families. Ancillary amenities and support facilities, such as a community room, management office, recreation areas, and a part-time health clinic would also be provided.
4. The project site is composed of two parcels located at 13218 and 13224 South Avalon Boulevard in the Willowbrook-Enterprise Zoned District and within the West Rancho Dominguez-Victoria Community Standards District ("CSD"). Because the project would be built across two lots, it is treated as a single development site.

5. The subject property is 1.72 acres and is divided into two parcels, which are developed with four abandoned single-family residences and are relatively level. A small hill, approximately six feet high, is located on its northeastern portion. The site is accessed from Avalon Boulevard, a major thoroughfare, to the west. The site is surrounded by developed land in all directions. A 100-foot wide Los Angeles Department of Water and Power easement, containing transmission lines and a plant nursery, is located immediately to the east. All existing structures on the site are proposed to be removed.
6. The subject property is zoned C-2 (Neighborhood Business) and contains abandoned single-family residences and accessory structures.
7. Surrounding properties within the 500-foot radius of the project are zoned as follows:
 - North: C-2
 - South: C-2, R-1 (Single Family Residence)
 - East: R-1
 - West: C-2-CRS (Neighborhood Business—Commercial-Residential), R-1
8. Land uses within 500 feet of the subject property consist of the following:
 - North: Church, warehouses, light industry
 - South: 42-unit senior apartment complex, single-family residences
 - East: Power transmission lines, plant nursery, single-family residences
 - West: Single-family residences
9. The site plan depicts one three-story, 55-unit apartment building 35 feet in height on the 1.7-acre property. The building would contain 13 one-bedroom units, 22 two-bedroom units, and 20 three-bedroom units surrounding a central atrium and paved plaza. A community room, management offices, toilets, a first aid station, and a storage area would be located within the eastern portion of the building. The apartment building would have a building footprint of 27,195 square feet and a total floor area of 55,001 square feet. A 62-space paved parking lot of 23,494 square feet would be located to the south of the building, which would be accessed via a 15-foot-wide driveway from Avalon Boulevard to the east. A separate trash enclosure, located on the northwestern corner of the property, would also be accessed directly from Avalon Boulevard. A children's playground, sitting patio, edible garden, and active recreation area containing immobile exercise equipment would be located immediately behind the apartment building, on the northeastern portion of the property. The facility would have a minimum front-yard setback of 30 feet, a minimum rear-yard setback of 97 feet, eight inches, a minimum southern side-yard setback of 51 feet, and a minimum northern side-yard setback of five feet. The project site would be developed with 9,493 square feet of landscaping (12.7 percent of the project area).
10. The subject property is designated as "1" (Low Density Residential—one to six dwelling units per acre), which allows primarily small-lot single-family residences,

twin homes, duplexes and townhouses.

11. The County of Los Angeles General Plan Land Use Element supports residential infill projects, more concentrated urban development, and development of low-income and moderate-income housing.
12. The maximum residential density normally allowed under the Low Density Residential land use classification is six dwelling units per acre. Due to the 1.7-acre size of the property, this would allow for a maximum of ten dwelling units on the project site. The applicant is requesting a discretionary housing permit to construct 55 dwelling units on the project site—a density bonus of 550 percent. This is consistent with the provisions of Chapter 22.56, Part 18 of the County Code and the County's adopted General Plan Housing Element, which allows for discretionary housing permits to grant density bonus of more than 50 percent for affordable housing projects. The project is designated for currently homeless and very-low-income (earning 35 to 50 percent of the area median income ["AMI"]) families whose head of household are living with a mental illness and other low-income families. The project is consistent with the goals and objectives of the Los Angeles County General Plan policies and goals on affordable housing and with the criteria for a discretionary housing permit.
13. The property on which the proposed facility is to be located is zoned C-2. Per Section 22.28.160 of the County Code, apartment houses in the C-2 zone are uses subject to CUPs. Within this zone, a maximum of 90 percent of the net area of any site may be occupied by buildings, and a minimum of ten percent of said area must be landscaped. The proposed project would comply with these standards, as the building footprint of 27,195 square feet is only 36.4 percent of the site's net area, and 9,493 square feet of landscaping would also be provided, which is 12.7 percent of its net area. The C-2 zone also mandates that a building or structure shall not exceed a height of 35 feet above grade. The proposed apartment building would also comply with this standard, as it has a maximum height of 35 feet.
14. Parking regulations for apartment houses are described in Section 22.52.1180 of the County Code. A 55-unit apartment complex would normally require 1.5 covered parking spaces for each one-bedroom unit, and 1.5 covered parking spaces plus one-half uncovered parking space for each unit with two or more bedrooms. The proposed project, therefore, would normally require a total of 82 covered parking spaces and 21 uncovered parking spaces. However, the applicant proposes to provide only 62 uncovered parking spaces on the site, 41 spaces (or 40 percent) less than what is normally required. In order to obtain this parking reduction, the applicant must request it as an "off-menu" incentive, which may also be granted with an administrative housing permit.
15. The West Rancho Dominguez-Victoria CSD requires that all walls remain free of graffiti, and that all graffiti be removed or covered within 72 hours of occurrence.

The permittee shall be required to remove all graffiti within 24 hours of occurrence. The project, therefore, would comply with the standard. There are no other provisions of the CSD that would be applicable to the proposed project.

16. The Department of Regional Planning ("Regional Planning") recommends that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The attached Initial Study has determined that the project, as proposed, would not have a significant effect upon the environment. Therefore, Regional Planning staff recommends that the Regional Planning Commission adopt the proposed Negative Declaration.
17. The Los Angeles County Fire Department was consulted regarding the project. The department's Land Development Division issued a letter on March 14, 2012, clearing the project for a public hearing. It recommends approval of the project, subject to conditions regarding compliance of the proposed entry gate to department standards and requiring the applicant to install one public and one private fire hydrant with specified water flows. These have been incorporated as conditions of approval.
18. The Department of Public Works issued a letter on March 22, 2012, clearing the project for public hearing (enclosed). It recommended conditions of approval requiring installation and repair of sidewalks, curbs, and gutters, an approved grading plan, drainage concept, street improvement plan, and drainage covenant, and the provision of street lights and street trees. These have been incorporated as conditions of approval. Due to the applicant's prior submittal of adequate hydrology and geology reports for the project site, no other documents or conditions were requested.
19. The Environmental Health Division of the Department of Public Health ("Public Health") issued a letter on August 18, 2011 clearing the project for public hearing. It stated that the project would not create any impacts that were environmentally significant. However, in order to ensure that the applicable requirements for the CUP were met, Public Health recommended a condition of approval requiring the installation of STC 28 dual-paned windows for the four dwelling units most affected by traffic noise, as recommended in an acoustical study by Veneklassen Associates. This has been incorporated as a condition of approval. Due to the project's proposed connections with public water and sewer facilities, and the applicant's prior submittal of will-serve letters and a sewer area study, no other documents or conditions were requested.
20. Parks and Recreation issued a letter clearing the project for public hearing on December 22, 2010. It stated that the department did not anticipate any adverse impacts of the project on nearby public parks.
21. As per the requirements of the Los Angeles County Code, the public hearing was

adequately noticed through mailings, newspapers advertisement, and on-site posting. Case-related materials were also posted at the local library and on the Regional Planning web page. While no correspondence was received regarding the project, a petition opposing it was presented at the public hearing .

22. The applicant held five community outreach meetings between January and April of 2012. Both support and concerns for the project were expressed by community members and addressed by the applicant.
23. The construction, operation, and maintenance of the apartment complex is unlikely to affect the health, comfort, or welfare of surrounding residents, be materially detrimental to the use, enjoyment, or value of surrounding properties, and would not constitute a hazard to public health or safety. A condition of approval would require removal of graffiti within 24 hours of occurrence. The proposed facility has also been reviewed and cleared by County Fire, Public Health, Parks and Recreation, and Public Works, which state that the site's existing infrastructure and public safety response resources are adequate to absorb the density proposed for the project site, provided that certain conditions are met.
24. The applicant, A Community of Friends, has a proven history of building and operating similar well-managed facilities throughout the region.
25. The proposed project would provide much needed low-income and supportive housing for a chronically underserved neighborhood. Residents of the facility would have access to recreational amenities, counseling, a part-time medical clinic, as well as classes and tutoring. The project site would also have secured entry, and an on-site manager would be available day and night to address concerns. The facility would also serve the surrounding community, as the applicant has policies, as well as certain federal and state obligations, of recruiting construction workers, tenants, and permanent employees from the local area.
26. The requested "off-menu" parking incentive is necessary to keep the housing set-aside affordable. Without the reduced parking, the applicant would need to eliminate some of the outdoor recreational amenity areas to provide more surface parking. Providing subterranean parking for the project would render it financially infeasible. The applicant currently manages 33 other affordable, multiple-family housing complexes in Los Angeles and Orange counties that serve similar populations and provide parking in similar ratios. Based on this information, which has been corroborated by Regional Planning staff, the project would have an adequate number of on-site parking spaces.
27. The proposed project is requesting a residential density and provides parking at a ratio that is comparable to the 42-unit senior affordable housing on the property immediately adjacent to the south of the project site.

28. The proposed project would be located on Avalon Boulevard, a busy commercial corridor that is served by major bus routes. It is also less than one-half mile from Willowbrook Park, a large regional recreation area. The surrounding area includes a combination of residential, commercial, and industrial uses. Adjacent residential properties across Avalon Boulevard are zoned C-2-CRS, a zoning designation that encourages combining residential and commercial uses "in order to provide additional opportunities for housing development and to reduce transportation costs, energy consumption and air pollution," according to the intent of the CRS zone as noted in Section 22.40.540 of the County Code.
29. The proposed project is consistent with the General Plan Housing Element goals to promote a more concentrated urban pattern, provide more low-income housing and housing for those with special needs or disabilities, fulfill the County's Regional Housing Needs Assessment obligation, and the development of housing on underutilized spaces in commercial areas.
30. The proposed residential density is necessary to enable the development to reach an economy of scale that balances the public funding and subsidies available to the development with the projected construction costs, as well as the development's rental income with the projected annual operating expenses. The requested incentive contributes to maintaining the affordability of the proposed project.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

Regarding the Conditional Use Permit:

- A. The proposed use is consistent with the adopted general plan for the area; and
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare; and
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features as is required in order to integrate said use with the uses in the surrounding area; and
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such uses would generate and by other public or private facilities as are required.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a conditional use permit as set forth in Sections 22.56.090 of the Los Angeles County Code.

Regarding the Housing Permit:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required.
- D. That the proposed project at the location proposed has been designed to be complimentary to the surrounding area in terms of land use patterns and design.
- E. That the proposed project will assist in satisfying housing needs, and is viable in terms of continuing availability to meet such housing needs.
- F. That the requests for waivers or modifications to development standards are necessary to make the housing units economically feasible.

AND, THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings and burden of proof for a housing permit as set forth in Section 22.56.2850 of the Los Angeles County Code.

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Negative Declaration associated with Environmental Assessment No. 201000113, together with any comments received during the public review process, finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect of the environment, finds that the Negative Declaration reflects the independent judgment and analysis of the Commission,

and adopts the Negative Declaration for the project.

2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201000150 and Housing Permit No. 201000003 are **APPROVED**, subject to the attached conditions.

VOTE: 4-0

Concurring: Pedersen, Valadez, Helsley, Modugno

Dissenting: None

Abstaining: None

Absent: Louie

Action Date: 06/06/2012

c: Commission Services, BOS

MK:TM
06/18/12

CONDITIONS OF APPROVAL
PROJECT NO. R2010-01629-(2)
CONDITIONAL USE PERMIT NO. 201000150
HOUSING PERMIT NO. 201000003
ENVIRONMENTAL ASSESSMENT NO. 201000113

PROJECT DESCRIPTION

This grant authorizes the construction, operation, and maintenance of a 55-unit, 100-percent affordable apartment complex in the C-2 (Neighborhood Business) zone. This grant also authorizes a discretionary housing permit to allow for a density bonus and a reduction in the required number of parking spaces. This increases the number of residential units that would be allowed pursuant to the Countywide General Plan ("General Plan") land use designation and the C-2 zone from 10 units to 55 units and reduces the number of required parking spaces from 103 spaces to 62 spaces. The project is approved as depicted on the approved Exhibit "A", subject to all of the following conditions of approval.

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose and cannot be used until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of, and agree to accept, all conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required fees have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this condition (No. 2), and Conditions No. 4, 5, 6, and 11 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with to Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of final approval of the grant by the County. A single, one-year time extension may be requested, in writing and with payment of the applicable fee, before the expiration date.
7. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall record the terms and conditions of the grant in the office of the County Registrar-Recorder/County Clerk. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. **The permittee shall deposit with the County the sum of \$400.00.** This deposit shall be placed in a performance fund, which shall be used exclusively to compensate

Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for two (2) inspections following this grant—one after three years and a second after five years. Inspections shall be unannounced.

10. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.
11. Within three (3) days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently \$ 2,176.50 (\$2,101.50 for a Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
12. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated, that this grant has been exercised so as to be detrimental to the public's health or safety, or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
13. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
14. All development pursuant to this grant shall conform to the requirements of County Department of Public Works.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information

about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, a minimum of three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit a minimum of three (3) copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PROJECT SPECIFIC CONDITIONS

19. All development pursuant to this grant shall be kept in full compliance with the County Fire Code and those conditions delineated in the Los Angeles County Fire Department letter dated March 14, 2012 (attached hereto and incorporated herein by this reference), or as otherwise to the satisfaction of said department.
20. All development pursuant to this grant shall conform to the requirements of the Los Angeles County Department of Public Works. Prior to the issuance of building or grading permits, the permittee shall comply with all conditions delineated in the Public Works letter dated March 22, 2012 (attached hereto and incorporated herein by this reference), or as otherwise to the satisfaction of said department.
21. In order to decrease the effects of noise from Avalon Boulevard and adjacent properties, the permittee shall install and maintain windows rated "STC 28," or an equivalent product as determined by the Environmental Health Bureau of the Los Angeles County Department of Public Health, in those dwelling units identified as numbers 13, 33, 35, 53, and 55 on the approved Exhibit "A." Mechanical ventilation shall also be required for these units. Any other type of dual glazed windows shall be installed and maintained in all other dwelling units and community areas.
22. The permittee shall maintain no less than 62 parking spaces on the project site, unless this number is reduced by the Director of the Department of Regional Planning pursuant to the procedures specified in Condition 32. Parking spaces shall

be developed to the specifications of Section 22.52.1060 of the Los Angeles County Code. Such spaces shall be continually available for automobile parking.

23. A maximum of 55 dwelling units shall be maintained on the project site. Of these, the permittee shall maintain a maximum of 22 two-bedroom units, and a maximum of 20 three-bedroom units. All dwelling units—with the exception of the manager's unit—shall be deed restricted as affordable for low-income and very-low-income residents, as defined annually by the Department of Regional Planning in consultation with the California Department of Housing and Community Development.
24. A full-time property manager shall reside on-site, or, as an alternative, a property manager shall be present on-site during the day, and an additional "keyholder" shall reside on-site at night to respond to the needs and concerns of tenants and area residents.
25. The property and its landscaping shall be neatly maintained and free of debris, overgrown weeds, junk, and garbage. A minimum of ten percent of the net project area shall be maintained as landscaping. Prior to final approval of this permit, the permittee shall submit a landscaping plan that demonstrates compliance with the Los Angeles County Drought Tolerant Landscaping requirements (Title 22, Part 21 of the County Code), as determined by the Director of the Department of Regional Planning in consultation with the staff biologist of said department.
26. Outdoor lighting shall be installed and maintained in uncovered parking areas. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
27. The permittee shall install and maintain secured entry to the facility, for both automobiles and pedestrians, in the form of limited access gates. Such gates shall be accessible via keycard (or similar device), remote control, numeric code, or interior buzzer. All gates shall conform to County Fire Department emergency access requirements.
28. The permittee shall maintain a video surveillance system on the project site, which shall be available for monitoring 24 hours a day, and recordings shall be maintained for a minimum of 14 days. Any illegal activities observed shall be immediately reported to the proper legal authorities, and recordings of such activities shall be made available to these authorities upon request.
29. All on-site amenities, including, but not limited to, the community room, laundry room, and exercise and play equipment, and all on-site services, including, but not

limited to, counseling, tutoring, and health care, shall be restricted to the exclusive use of the manager and tenants and shall not be operated between the hours of 10:00 PM and 6:00 AM.

30. In order to ensure ongoing good maintenance and aesthetics of the facility, stonework—either real or imitation—or a similar durable material, as approved by the Director of the Department of Regional Planning, shall clad all walls facing publically accessible areas from ground level to a minimum height of three feet.
31. As volunteered by the permittee, all parking areas shall be developed and maintained with permeable pavement to the satisfaction of the Director of the Department of Regional Planning.
32. Following one year of facility operation, the permittee may apply for a Revised Exhibit "A" to replace six parking spaces (numbered 54 through 59 and located near the eastern boundary of the property) with active or passive open space. This application shall be accompanied by a parking study and photographs documenting the number of unoccupied parking spaces on the project site at 7:00 AM, 12:00 PM, and 7:00 PM over the course of one week. The Director of the Department of Regional Planning may approve this application if he determines that the resulting design would not result in inadequate on-site parking. In making this determination, the Director shall also consider the written concerns, if any, expressed by area residents regarding neighborhood street parking.

MK:TM
06/07/12